

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**RONALD DALE HAMILTON,** )  
                                  )  
                                  )  
**Plaintiff,**                )  
                                  )  
                                  )  
**v.**                            ) Civil Action No: **CV-04-RRA-3486-S**  
                                  )  
                                  )  
**WAL MART STORES, INC., et al.** )  
                                  )  
                                  )  
**Defendants.**              )

**MEMORANDUM OPINION**

The magistrate judge filed a report and recommendation and an amended report and recommendation on April 13, 2006, and May 25, 2006 respectively. Objections to the original report and recommendation were filed. As to both defendants, the magistrate recommended that the motions to dismiss be GRANTED as to all counts except Count I.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the amended report and recommendation, and the objections, the court is of the opinion that the magistrate judge's reports are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. An appropriate order will be entered.

DONE this 20th day of July, 2006.



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United States District Judge